UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
Galveston Division

DI : ('CC)	
Plaintiff,)	
v.) Case No. 3:17-cv-00	001
UNITED STATES FOOD AND DRUG)	
ADMINISTRATION, et al.,	
Defendants.)	

DEFENDANTS' CONSENT MOTION FOR AN EXTENSION OF TIME

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 7 of the Court's local rules, defendants, the United States Food and Drug Administration, *et al.* (FDA), respectfully request that the Court grant a 60-day extension of time, to and including November 28, 2017, for us to respond to plaintiff's motion for summary judgment. Our response and cross motion is currently due on September 29, 2017. This is our first request to extend this deadline. Counsel for plaintiff, the Texas Department of Criminal Justice (Texas), has indicated that Texas does not oppose this request.

This case touches on issues that require close consultation between the U.S. Justice Department and the Department of Health and Human Services. That consultation has been ongoing, but it is now apparent that additional time is needed for the Government to coordinate its position—and for us to formulate our response and obtain supervisory review. We believe 60 days are necessary for us to complete these tasks.

For these reasons, we respectfully request that the Court grant the requested extension, and permit us to file our brief on or before November 28, 2017. We likewise request that the Court adjust the remainder of the briefing schedule by extending all other deadlines by the same amount.

Respectfully submitted,

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Acting Assistant Attorney General

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Deputy Assistant Attorney General

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s/ Alexander V. Sverdlov
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September 8, 2017 Attorneys for Defendants

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS Galveston Division

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TEXAS DEPARTMENT OF CRIMINAL JUSTICE,)))
Plaintiff,))
v.) Case No. 3:17-cv-00001
UNITED STATES FOOD AND DRUG ADMINISTRATION, et al.,)))
Defendants.)))
[PROPOS	SED] ORDER
Upon consideration of the defendants' of	consent motion for an extension of time, and upon
due deliberation, it is hereby	
ORDERED that the motion is granted;	and it is further
ORDERED that the defendants shall fil	e a response to plaintiff's motion for summary
judgment by November 28, 2017; and it is furth	her
ORDERED that all remaining deadlines	s specified in the parties' May 18, 2017 stipulated
schedule are extended by 60 days.	
SO ORDERED.	
DATED:	
	HON. GEORGE C. HANKS, JR. United States District Judge

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on this 8th day of September, 2017, a copy of the foregoing "DEFENDANTS' CONSENT MOTION FOR AN EXTENSION OF TIME" was filed electronically. This filing was served electronically to all parties by operation of the Court's electronic filing system.

s/ Alexander V. Sverdlov